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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED CENTRAL BANK, successor by acquisition  
to Mutual Bank,

Plaintiff,  
-against-

Case No. 10-CV-3850(ERK)(VVP)

AFFIRMATION OF JEFFREY C.  
RUDERMAN, ESQ. IN  
OPPOSITION TO MOTION FOR  
SUMMARY JUDGMENT

TEAM GOWANUS, LLC, SQUARE ONE  
HOLDING CORP., PETER MOORE, PETER  
KOVACS, JOHN SUTTER, BEN HANSEN  
ARCHITECT LLC, ENVIRONMENTAL CONTROL  
BOARD OF THE CITY OF NEW YORK, “JOHN DOE”  
#1-10, “MARY DOE” #1-10 AND “JANE DOE”,

Defendants.

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JEFFREY C. RUDERMAN, an attorney duly admitted to practice law in the courts of  
this state, hereby affirms the following under penalty of perjury:

1. I am of counsel to the firm of Cyruli Shanks Hart & Zizmor LLP, attorneys for defendants Team Gowanus, LLC (“Team Gowanus”) and the individual defendants, and as such, I am fully familiar with the facts and circumstances of this matter.

2. I submit this affirmation in opposition to plaintiff United Central Bank's ("UCB") motion for summary judgment pursuant to FRCP 56.

3. Annexed hereto as Exhibit "A" is a copy of a complaint filed in the United States District Court for the Northern District of Illinois.

4. Annexed hereto as Exhibit "B" is a copy of the Loss Share Agreement between UCB and the FDIC.

5. Annexed hereto as Exhibit "C" is a copy of an email from Joseph Haskett dated August 6, 2009.

6. Annexed hereto as Exhibit "D" is a copy of an email from Joseph Haskett dated August 6, 2009.

7. Annexed hereto as Exhibit "E" is a copy of an email from Andrew Kettinbrink dated August 10, 2009.

8. Annexed hereto as Exhibit "F" is a copy of an email from Joseph Haskett dated August 24, 2009.

9. Annexed hereto as Exhibit "G" is a copy of an email from Dave Clark dated August 24 2009.

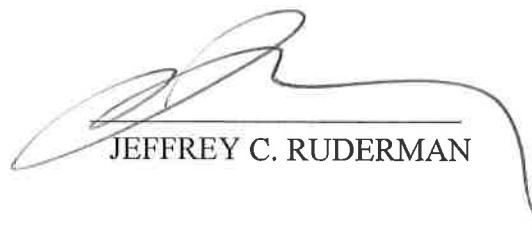
10. Annexed hereto as Exhibit "H" is a copy of a term sheet from the offices of Wayne Osoba.

11. Annexed hereto as Exhibit "I" are copies of extension agreements, both dated June 9, 2009, between Mutual Bank and KMG PMA Leroy, LLC/KMG Greenwich, LLC which were given in connection with mortgage loans to these projects in which Peter Moore had an interest, which loans were purchased and extensions thereafter adopted by UCB. (See Hoholik Aff., ¶¶ 25, 27)

12. Annexed hereto as Exhibit "J" are the Defendants' discovery demands dated March 23, 2012 and UCB's response dated April 13, 2012.

13. Annexed hereto as Exhibit "K" is the motion to stay discovery filed by UCB prior to service of any interrogatory asking for oral communications by Defendants relating to finding new investors.

Dated: June 11, 2012  
New York, New York



JEFFREY C. RUDERMAN